

### R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

### SUPPORT FOR CLAIM AMENDMENTS

Support for the amendments to the claims can be found in the drawings as originally filed, for example, in FIGS. 2 and 3, and in the specification as originally filed, for example, on page 5, lines 1-9, and on page 7, line 16 through page 10, line 19. As such, no new matter has been introduced.

### OBJECTION TO THE TITLE

The title of the invention has been amended as suggested by the Examiner. As such, no new matter has been added.

### OBJECTION TO THE ABSTRACT

The objection to the abstract of the disclosure has been obviated by appropriate amendment and should be withdrawn. No new matter has been added.

### CLAIM OBJECTIONS

The objection to claims 2, 3, 4, 6 and 7 has been obviated by appropriate amendment and should be withdrawn.

**CLAIM REJECTIONS UNDER 35 U.S.C. §102**

The rejection of claims 1-17 and 19-20 under 35 U.S.C. §102(b) as being anticipated by Dillon (U.S. Patent 6,093,214) is respectfully traversed and should be withdrawn.

The presently claimed invention (claim 1) provides a method for generating a modified view of a circuit layout comprising the steps of (A) receiving circuit layout data from a design rule clean database, (B) extracting base wafer layout data from the circuit layout data according to a set of computer executable instructions and (C) modifying the base wafer layout data by combining one or more unused diffused blocks to form a single paveover cell according to the set of computer executable instructions. Claims 12 and 13 include similar limitations. Dillon does not appear to disclose or suggest extracting base wafer layout data from circuit layout data according to a set of computer executable instructions and modifying the base wafer layout data by combining one or more unused diffused blocks to form a single paveover cell according to the set of computer executable instructions, as presently claimed. As such, the presently claimed invention is fully patentable over the cited reference and the rejection should be withdrawn.

Specifically, the Office Action associates fabrication of base layers on a wafer (block 159 in FIG. 5 of Dillon) with extracting a base wafer layout from a circuit layout according to

a set of instructions (see Office Action, page 3, section 9). However, a person of ordinary skill in the field of the invention would not consider fabrication of base layers on a wafer to be the same as extracting a base wafer layout from the circuit layout according to a set of computer executable instructions. In particular, a person of ordinary skill in the art would recognize that extracting a base wafer layout from a circuit layout and modifying the base wafer layout are processes that work with layout data and would occur prior to the fabrication of the base layers on a wafer as recited in block 159 in FIG. 5 of Dillon.

Furthermore, the Office Action fails to present any objective evidence or convincing line of reasoning to support the position that a person of ordinary skill in the field of the invention would consider a backfill cell, as recited in Dillon, to be the same as a paveover cell as presently claimed (see page 3, section 10 of the Office Action). Therefore, the Office Action does not appear to meet the Office's burden to factually establish that each and every element of the claimed invention, arranged as in the claims, is present in the cited reference. As such, the presently claimed invention is fully patentable over the cited reference and the rejection should be withdrawn.

Claims 1-11, 14-17 and 19-20 depend, directly or indirectly, from either claim 1 or claim 13 which are believed to be allowable. As such, the presently claimed invention is fully

patentable over the cited reference and the rejection should be withdrawn.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103**

The rejection of claim 18 under 35 U.S.C. §103(a) as being unpatentable over Dillon in view of Liao et al. (U.S. Publication No. 2004/0049754; hereinafter Liao) is respectfully traversed and should be withdrawn.

Claim 18 depends directly from claim 13 which is believed to be allowable. As such, the presently claimed invention is fully patentable over the cited references and the rejection should be withdrawn.

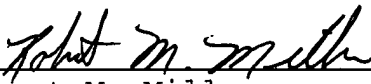
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative between the hours of 9 a.m. and 5 p.m. ET at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit  
Account No. 12-2252.

Respectfully submitted,

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